

IFW

00005.001274

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:

ETSUO OHSHIMA, ET AL.

Application No.: 10/551,248

Filed: September 28, 2005

For: AGENT FOR INTRA-AIRWAY
ADMINISTRATION

)
: Examiner: Not Yet Assigned
)
: Group Art Unit: Not yet Assigned
)
: Confirmation No. 4306
)
:
: September 8, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR ISSUANCE OF CORRECTED NOTICE OF
ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. §371 AND 37 C.F.R. §1.495

Sir:

Applicants' attorneys have received a Notice of Acceptance in the above-referenced application wherein the Date of Receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements at page 1 is incorrect. Please amend "09/28/2005" to read --09/30/2005--. A marked-up copy of the Notice is enclosed.

Issuance of a corrected Notice of Acceptance is accordingly respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Lawrence S. Perry
Attorney for Applicants
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

LSP\ac

NY_Main 590938_1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,248	Etsuo Ohshima	00005.001274

INTERNATIONAL APPLICATION NO.

PCT/JP04/04601

I.A. FILING DATE	PRIORITY DATE
03/31/2004	03/31/2003

5514
 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

00005.001274.
 LSP

CONFIRMATION NO. 4306
 371 ACCEPTANCE LETTER



OC000000019625709

Date Mailed: 07/18/2006

Mdd

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

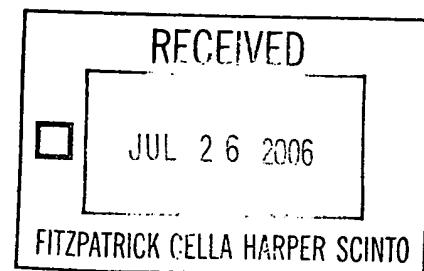
The United States Application Number assigned to the application is shown above and the relevant dates are:

09/30/200509/28/200509/30/2005DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and
(c)(4) REQUIREMENTSDATE OF COMPLETION OF ALL 35 U.S.C. 371
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 09/28/2005
- English Translation of the IA filed on 09/28/2005
- Copy of the International Search Report filed on 09/28/2005
- Preliminary Amendments filed on 09/28/2005
- Information Disclosure Statements filed on 12/07/2005
- Oath or Declaration filed on 09/28/2005
- U.S. Basic National Fees filed on 09/28/2005
- Priority Documents filed on 09/28/2005



Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

JOHN L ANDERSON
Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



00005.001274

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
ETSUO OHSHIMA, ET AL.) : Examiner: Not Yet Assigned
Application No.: 10/551,248) : Group Art Unit: Not yet Assigned
Filed: September 28, 2005) : Confirmation No. 4306
For: AGENT FOR INTRA-AIRWAY)
ADMINISTRATION) : September 8, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR ISSUANCE OF CORRECTED FILING RECEIPT

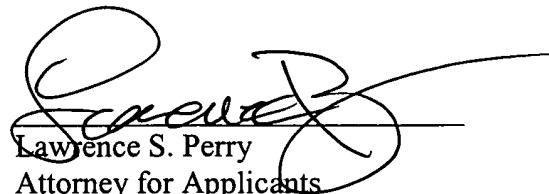
Sir:

Applicants' attorneys have received a Filing Receipt in the above-referenced application wherein the title at page 2 is incorrect. Please amend the title to read --AGENT FOR INTRA-AIRWAY ADMINISTRATION--. A marked-up copy of the Filing Receipt is enclosed.

Issuance of a corrected Filing Receipt is accordingly respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Lawrence S. Perry
Attorney for Applicants
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

LSP\ac

NY_Main 590938_1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/551,248	09/28/2005	1615	2010	00005.001274	1	17	2

CONFIRMATION NO. 4306

5514
 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

LSP

FILING RECEIPT



OC000000019625708

Date Mailed: 07/18/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Etsuo Ohshima, Shizuoka, JAPAN;
 Haruhiko Manabe, Shizuoka, JAPAN;
 Motoya Mie, Shizuoka, JAPAN;
 Harunobu Tahara, Shizuoka, JAPAN;
 Kazuo Yamaguchi, Kanagawa, JAPAN;
 Yasuhiro Ishikawa, Shizuoka, JAPAN;

Assignment For Published Patent Application

Kyowa Hakko Kogyo Co., Tokyo, JAPAN

Power of Attorney: The patent practitioners associated with Customer Number 5514.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/04601 03/31/2004

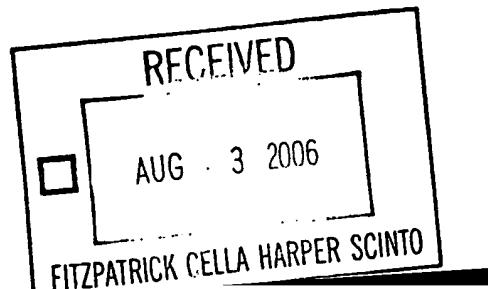
Foreign Applications

JAPAN 2003-094505 03/31/2003

If Required, Foreign Filing License Granted: 07/14/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/551,248**

Projected Publication Date: 10/26/2006



Non-Publication Request: No

Early Publication Request: No

Title Agent for intra-airway
 1 Drug for airway administration

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).